



# House of Representatives

General Assembly

**File No. 256**

*January Session, 2007*

Substitute House Bill No. 7063

*House of Representatives, April 2, 2007*

The Committee on Insurance and Real Estate reported through REP. O'CONNOR of the 35th Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

***AN ACT REQUIRING DISCLOSURE OF LIABILITY INSURANCE  
POLICY LIMITS PRIOR TO THE FILING OF A CLAIM.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1      Section 1. (*Effective from passage, and applicable to requests for disclosure*  
2      *made on any pending claim*) (a) The disclosure required under  
3      subsections (b) to (e), inclusive, of this section shall terminate one year  
4      from the effective date of this section.

5      (b) Not later than fourteen days after an insurer receives a written  
6      request by, or on behalf of, an individual that alleges the individual  
7      has suffered bodily injury or death caused in a motor vehicle collision  
8      by an insured under an automobile liability insurance policy issued by  
9      the insurer, the insurer shall provide written disclosure of such  
10     insured's insurance policy limits to the individual making the request.  
11     The disclosure shall be provided in accordance with subsection (d) of  
12     this section.

13 (c) Each written request for disclosure shall be accompanied by a  
14 letter from an attorney-at-law admitted to practice in this state, with or  
15 without an affidavit, that sets forth: (1) The type of claim alleged  
16 against the insured; (2) the date and approximate time of the alleged  
17 incident that gave rise to the request for disclosure; and (3) a general  
18 description of the injuries alleged to have been caused by the insured.  
19 An attorney-at-law who submits a letter requesting disclosure  
20 pursuant to this section shall include the attorney's juris number in the  
21 letter. The contents of any letter or affidavit requesting disclosure of  
22 insurance policy limits pursuant to this section shall not be admissible  
23 in evidence in any civil action involving the injury or death that gave  
24 rise to the request for disclosure.

25 (d) The disclosure provided by the insurer shall (1) indicate all  
26 coverage provided by the insurer to the insured, including, but not  
27 limited to, any applicable umbrella or excess liability insurance issued  
28 by the insurer, and (2) include copies of applicable declaration pages  
29 or similar materials that reflect the insurance coverage provided by the  
30 insurer to the insured.

31 (e) The requirements of this section shall only apply to an insurer  
32 with respect to a policy that insures against loss or damage on account  
33 of the bodily injury or death of any person.

34 Sec. 2. (*Effective from passage*) Not later than January 1, 2009, the  
35 Judicial Department shall submit a report to the joint standing  
36 committee of the General Assembly having cognizance of matters  
37 relating to insurance that specifies the number of automobile injury  
38 cases settled as a result of the disclosure required in section 1 of this  
39 act.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage, and applicable to requests for disclosure made on any pending claim</i>	New section

Sec. 2	<i>from passage</i>	New section
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**INS**      *Joint Favorable Subst.*

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either chamber thereof for any purpose:

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**OFA Fiscal Note****State Impact:**

Agency Affected	Fund-Effect	FY 08 \$	FY 09 \$
Judicial Dept.	GF - Cost	Minimal	Minimal

Note: GF=General Fund

**Municipal Impact:** None

**Explanation**

The bill requires the Judicial Department to track and report on the number of automobile injury cases settled due to the disclosure requirements in the bill. The stated reason(s) for resolution of a civil dispute are available to the Judicial Department only if an action has commenced and then been withdrawn. Provided that reporting this subset of cases meets the bill's mandate, the Judicial Department would be able to comply with the bill at minimal cost to modify its withdrawal form and prepare a report for the legislature in 2009.

**The Out Years**

There is no fiscal impact in the out years because the bill's reporting requirement ends in 2009.

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**OLR Bill Analysis****sHB 7063*****AN ACT REQUIRING DISCLOSURE OF LIABILITY INSURANCE  
POLICY LIMITS PRIOR TO THE FILING OF A CLAIM.*****SUMMARY:**

This bill requires automobile liability insurers to provide written disclosure of the insurance policy limits of someone they insure under certain circumstances, within 14 days after they receive the request. The request must be in writing and be made by, or on behalf of, an individual alleging bodily injury or death caused in a motor vehicle collision by an insured covered by the insurer's automobile liability policy. The bill applies only to policies that insure against loss or damage on account of bodily injury or death.

The bill requires that the disclosure:

1. indicate all coverage the insurer provides, including any applicable umbrella or excess liability insurance issued by the insurer, and
2. include copies of applicable declaration pages or similar material reflecting the insurance coverage provided by the insurer to the insured.

The bill requires that, by January 1, 2009, the Judicial Department submit a report to the Insurance and Real Estate Committee specifying the number of automobile injury cases settled as a result of the disclosure the bill requires.

The bill applies to requests for disclosure made on any pending claim.

EFFECTIVE DATE: Upon passage

**WRITTEN REQUEST FOR DISCLOSURE**

The bill requires that each written request for disclosure be accompanied by a letter from an attorney licensed to practice in Connecticut, with or without an affidavit, that sets forth:

1. the type of claim alleged against the insured,
2. the date and approximate time of the alleged incident, and
3. a general description of the injuries alleged to have been caused by the insured. An attorney who submits a letter requesting disclosure must include his juris number in the letter.

The bill makes the contents of any letter or affidavit requesting disclosure of insurance policy limits inadmissible as evidence in any civil action involving the injury or death that gave rise to the request for disclosure.

**COMMITTEE ACTION**

Insurance and Real Estate Committee

Joint Favorable Substitute

Yea 10 Nay 9 (03/15/2007)